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Of Counsel

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

13 CLIVEN BUNDY,
14 Plaintiff
15 v.
16 GLORIA NAVARRO
17 Defendant

Case No.: 2:16-cv-1047-JAD-GWF

RENEWED (SECOND) MOTION FOR
EXTENSION OF TIME *NUNC PRO TUNC*

SECOND REQUESTED EXTENSION

Plaintiff, Cliven Bundy, (“Mr. Bundy) hereby moves this Court for an extension of time,
until and including August 22, 2016, to respond to (1) Motion to Dismiss All Claims Against
Defendants Senator Harry Reid, Kristen Orthman, and The United States of America filed on July
15, 2016 (Docket No. 17); (2) United States’ Motion to Dismiss Claims Against Defendants
United States District Judge Gloria Navarro and President Barack Obama filed on July 15, 2016
(Docket No. 18); and (3) Defendant Rory Reid’s Motion to Dismiss Pursuant to Fed. R. Civ. P.
12(B)(6) filed on July 19, 2016 (Docket No. 21).

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1 This Court denied Mr. Bundy's first Motion for Extension of Time *Nunc Pro Tunc* on the
2 basis that it did not comport with the requirements set forth by Local Rule 6.1. Mr. Bundy now
3 submits this corrected, renewed (second) Motion for Extension of Time *Nunc Pro Tunc*, to
4 respectfully request that this Court grant the initially requested extension of time, until and
5 including August 22, 2016.

6 The days to respond were inadvertently not marked up by counsel, as counsel was out of
7 the office at the time. This constitutes "excusable neglect" as defined by the U.S Court of Appeals
8 for the Ninth Circuit in *Briones v. Riviera Hotel & Casino*, 116 F.3d 379 (9th Cir. Nev. 1997).
9 The *Briones* Court held that whether neglect is "excusable" is an equitable determination, taking
10 account all relevant circumstances. *Id.* at 381. Factors considered are "the danger of prejudice...,
11 the length of the delay and its potential impact on judicial proceedings, the reason for the delay,
12 including whether it was within the reasonable control of the movant, and whether the movant
13 acted in good faith. *Id.* Here, as this matter is only in its beginning stages, prejudice, if any, is
14 non-existent. The length of the delay was also only a few days, since Mr. Bundy's first Motion
15 for Extension of Time was filed on August 3, 2016, only two days after substantive responses
16 were due. Lastly, counsel for Mr. Bundy has acted in good faith, as the missed filing deadline was
17 the result of an unfortunate, but inadvertent oversight which will not occur again. Counsel for Mr.
18 Bundy respectfully requests that this Court not severely prejudice Mr. Bundy as a result of
19 counsel's inadvertent oversight, and thus deny him due process of law.

20 Defendants' counsel would not consent to the first Motion for Extension of Time. Plaintiff
21 has contacted Defendants' counsel again for this motion to obtain consent and will advise the
22 Court accordingly.

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Based on the foregoing, Mr. Bundy respectfully requests that this Court grant his Second (Renewed) Motion for Extension of Time to Respond *Nunc Pro Tunc*.

3 || Dated: August 22, 2016

Respectfully Submitted,

By: /s/ Joel F. Hansen
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing SECOND (RENEWED) MOTION FOR EXTENSION OF TIME TO RESPOND *NUNC PRO TUNC* was made through the Court's CM/ECF filing and service system on all counsel of record, including the below-designated counsel, on August 22, 2016:

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/s/ Joel F. Hansen